

# An Agency of the State of Hawaii

Stadium Authority Meeting 99-500 Salt Lake Boulevard Honolulu, Hawaii 96818

October 30, 2008

Members Present

Kevin Chong Kee, Chairman

Kay Ahina

Marvin Fong

Kathryn Inouye

Alexander Kane, Jr.

Marcia Klompus

Nelson Oyadomari

Alan Tamayose

Staff

Scott Chan

Andrew Chang

Deborah Ishihara

Stephen Lee

Members Absent

Kenneth Marcus

Shelly Shoji

Liane Nakagawa

Alan Arato

## Others

John Dellera, Deputy Attorney General Randall Nishiyama, Deputy Attorney General Russ Saito, DAGS Comptroller John McNamara, UH Athletics Davy Murayama, Centerplate, General Manager Rosie Chang, Centerplate, Swap Meet Manager Senator Fred Hemmings

## I. <u>CALL TO ORDER</u>

A quorum being present, Chairman Kevin Chong Kee called the meeting to order at 10:10 a.m.

# II. <u>APPROVAL OF MINUTES OF THE SEPTEMBER 25, 2008 PUBLIC</u> MEETING AND EXECUTIVE SESSION.

Member Ahina inquired about the status of the pre-approved major event that was discussed at the September meeting. Stadium Manager said the proposed licensee from Maui withdrew its request to hold a Mariah Carey concert due to a conflict in dates and may reschedule at a later date.

ON A MOTION BY MEMBER AHINA TO ACCEPT THE MINUTES OF THE SEPTEMBER 25, 2008 PUBLIC MEETING, AND SECONDED BY MEMBER FONG, THE BOARD UNANIMOUSLY APPROVED THE MINUTES.

ON A MOTION BY MEMBER OYADOMARI TO ACCEPT THE MINUTES OF THE SEPTEMBER 25, 2008 EXECUTIVE SESSION, AND SECONDED BY MEMBER TAMAYOSE, THE BOARD UNANIMOUSLY APPROVED THE MINUTES.

## III. MONTHLY REPORT

#### A. CHAIRMAN'S REPORT

Chairman Chong Kee introduced Senator Fred Hemmings, who will be speaking after the Monthly Reports.

#### B. MANAGER'S REPORT

- <u>University of Hawaii (UH) Football Game (10/25/08)</u> Pleased with the 33,000 attendance despite the rainy weather.
- Americans With Disabilities Act (ADA) -Title II In answer to Mr. Glenn Nakamura's inquiry at the September meeting, a reponse from the Department of Health, Charlotte Townsend, stated the ADA Title II has no requirement for the Department of Justice to have an approval process for transportation services contracted by the state for government sponsored events.
- Refuse Collection Contract
   Management has extended the first of three, 12-month extensions.

   Staff is pleased with their services.

#### • Mandatory Procurement Classes

During the months of November and December many of the full-time staff will be attending training sessions as noted on a chart (hand-out). Manager Chan noted it will help everyone to have a better understanding of the procurement system.

Member Ahina inquired if this was a normal requirement for DAGS.

Comptroller stated, as the result of a Bill that was passed at the last Legislature, all appointed procurement officers are required by law to have certain procurement training within 60 days of their appointments. It was implemented this year and all training must be completed before the next Legislative Session begins.

#### • ADA Inquiry - UH

At the September meeting, Mr. Glenn Nakamura stated he is a season ticket holder but was never offered the opportunity to purchase a parking pass. Stadium Manager said Carl Clapp was asked to look into this matter and is presently working on a response. Member Klompus recommended a follow-up prior to the next meeting if possible.

# High School Football Play-offs OIA/ILH play-offs begin next week.

#### • Security Report

Board Members Ahina and Klompus requested clarification by Andrew Chang, Stadium Security Officer, as to the procedures being implemented with some of the violations noted on the report:

1) Evictions/Trespass Violations; 2) ILH – Tailgating - alcohol violations; 3) Security Line calls re: Poor Fan Behavior.

Mr. Chang explained the procedures in detail. He also noted keg parties at the Lower Halawa Lot are being monitored at the UH football games.

# C. APPROVAL OF EVENTS (Stephen Lee, Events Manager)

 Swerve Drivers Training Group Driver Challenge (teens) Lower Halawa Lot November 8, 2008 (Saturday)

A presentation of the event was made by Lindsey Pease and Katherine, representing All State Insurance.

A MOTION WAS MADE BY MEMBER KLOMPUS AND SECONDED BY MEMBER FONG TO APPROVE THE EVENT. THE MOTION CARRIED UNANIMOUSLY.

Mobile Car Audio
 Car Stereo Demonstration/Competition;
 Product and Career Information
 Kam Lot
 February 21, 2009

A presentation of the event was made by Donald Soares and Myron Yamashiro.

A MOTION WAS MADE BY MEMBER KLOMPUS AND SECONDED BY MEMBER AHINA TO APPROVE THE EVENT. THE MOTION CARRIED UNANIMOUSLY.

3. Hawaii Union Builder's Foundation (HUB) High School All-Star Football Game December 12, 2008 (Friday)

A MOTION WAS MADE BY MEMBER KANE AND SECONDED BY MEMBER FONG TO APPROVE THE EVENT. THE MOTION CARRIED UNANIMOUSLY.

4. Hawaii High School Athletic Association (HHSAA)
All-Star Football Game
December 13, 2008 (Saturday)

A MOTION WAS MADE BY MEMBER OYADOMARI AND SECONDED BY MEMBER INOUYE TO APPROVE THE EVENT. THE MOTION CARRIED UNANIMOUSLY.

> 74 Company, LLC Classic Car Show Lower Halawa Parking Lot April 18, 2009 (Saturday)

> > A presentation of the event was made by Ross Maeshiro.

A MOTION WAS MADE BY MEMBER INOUYE AND SECONDED BY MEMBER TAMAYOSE TO APPROVE THE EVENT. THE MOTION CARRIED UNANIMOUSLY

6. OCISS Instructional Service Branch (DOE)
Driver Education Competition for Public School Students
April 24-25, 2009 (Friday-Saturday)

A MOTION WAS MADE BY MEMBER OYADOMARI AND SECONDED BY MEMBER KLOMPUS TO APPROVE THE EVENT. THE MOTION CARRIED UNANIMOUSLY

7. 2009 Graduation Ceremonies:

Radford High School Class of 2009 May 29, 2009 (Friday)

Aiea High School June 5, 2009 (Friday)

James Campbell High School June 6, 2009 (Saturday)

A MOTION WAS MADE BY MEMBER KANE AND SECONDED BY MEMBER OYADOMARI TO APPROVE THE THREE (3) GRADUATION CEREMONIES. THE MOTION CARRIED UNANIMOUSLY

#### Hula Bowl

Member Klompus inquired about the Hula Bowl. Stephen Lee responded no application has been received.

#### D. UHAD MONTHLY REPORT

On behalf of Jim Donovan and UH, John McNamara reported the first four games have gone extremely well from an operational standpoint – they have issued 40,000 tickets for all four games. They have added many things to make the stadium a family-friendly venue, and are very pleased with the help and cooperation extended by the Stadium staff. He announced the exciting promotions that are planned for the remaining games (Military Night: Product discount; Sr. Citizen's discount, etc.). There has been positive feedback from the fans regarding customer service by the ushers.

# E. CENTERPLATE/SWAP MEET MONTHLY REPORT (Report distributed)

Centerplate Manager Davy Murayama commented on the following:

- The decline in attendance figures was due to tourism and two days that were closed;
- They are focusing on the inner A,B,C row stalls (average shoppers include 60% locals and 40% visitors); sales have increased 5% from the previous year;
- As the result of a joint effort by the Salvation Army (SA) and Centerplate, the SA has agreed to pick up unsold items as donations from some of the vendors on a weekly basis. There is also some discussion of a possible recycling program with Reynolds Aluminum;
- Centerplate is working on the possible sale of Christmas trees.

#### F. ADVERTISING MONTHLY REPORT

Stadium Manager stated October 27, 2008 was the deadline to submit a Notice of Intention to Bid and Qualification Questionnaire. The bids are due and will be opened on November 12, 2008.

#### IV UNFINISHED BUSINESS – Discussion and Appropriate Action

A. Aloha Stadium Advertising Contract – Update on the "IFB" for the Aloha Stadium Advertising Contract.

Report provided by Stadium Manager under Section III.F.

B. Aloha Stadium Swap Meet Reorganization – Update from Stadium Management and Centerplate on the reorganization of the Aloha Stadium Swap Meet

Report by Mr. Murayama:

### Operational

- New Rules and Regulations have been issued (along with the Booth Usage Contract) effective November 1, 2008;
- It was noted that some of the vendors feel the rules are unfair. Copies of previous rules (Centerplate's 2005 & 2007 Rules received by all vendors) were provided to the Board for comparison to the new rules.

Manager Chan explained these are the rules that the vendors have scrutinized for over a year and had the opportunity to express their views and opinions publicly. No laws are being broken; it is a way to try to make things better for each vendor. Centerplate must enforce some of these rules in order to be accountable for the business it runs.

- Christmas Lottery was held on October 24, 2008; a total of 95 vendors signed up; the E & F rows, and roadway relocation lottery were also held on October 24;
- Vendors are opposed to:
  - 1) Being in by 7:30 a.m.
  - 2) The 3-Strike Rule
  - 3) Lottery for Christmas Package
  - 4) Lack of the 4-Stall Rule
  - 5) Method of Relocation & Roadway Relocation

Mr. Murayama reviewed the above in detail and explained the justifications for each rule.

Times of operation were adjusted to allow the A,B,C rows to be competitive with the Kam Swap Meet; and the D row to be competitive with retailers. Some vendors are still unhappy with the change.

There were concerns by Manager Chan, Members Inouye and Klompus that the <u>3-Strike Rule</u> must be specifically spelled out and clearly understood by the vendors to avoid questions as to its fairness.

Mr. Chan expressed the need to further discuss this rule with Centerplate.

Rules for the <u>Christmas lottery</u> were changed due to complaints by many vendors; therefore, all vendors were required to participate in the lottery.

The Method of Relocation involves cutting down the overlap in E & F rows so all stall spaces are equal on the outside row. With the downturn of business affecting the D row, they are moving the E & F to the D row for a continuous circular flow.

#### Vendors' Protest

Chairman Chong Kee inquired about the protest that took place at the UH Football game on October 25, 2008. Mr. Murayama noted it was a peaceful protest. Because the rules are not clear to many of the vendors, they are preparing clarifications to the rules.

C. Aloha Stadium Repair Work – Update from Comptroller Russ Saito on the stadium repair project or any update involving Aloha Stadium.

Comptroller Russ Saito handed out a matrix of Aloha Stadium's Necessary Capital Improvements (Health and Safety Phase 1) with an update of New and On-going CIP projects.

Comptroller noted to the Board that the benefits of moving forward with Senator Hemmings' idea is that the revenue earned from the private sector could be applied toward the interest for loans – good to have that flexibility.

- IV. NEW BUSINESS Discussion and Appropriate Action
  - A. Senator Fred Hemmings Presentation on a public/private partnership for the development of public infrastructure to the stadium property in return for commercial development consideration.

Senator Hemmings commented that the state is headed for some hard times, economically, and money appropriated by the Legislature will be sparse, especially with regard to capital improvements. He believes there are other solutions to getting things done other than through CIP funding. He suggested the possibility of commercial activities by public/ private partnerships, if the deed restriction on the Stadium's property use (for recreational purposes) could be lifted. He also noted he is in touch with

the Department of Interior and they are in the process of reviewing the deed.

Deputy Attorney General John Dellera said the question is a legal one and that the Department of Interior would have to decide if the deed can be changed.

ON A MOTION MADE BY MEMBER INOUYE AND SECONDED BY MEMBER KLOMPUS, THE BOARD VOTED UNANIMOUSLY TO SUPPORT THE REMOVAL OF THE CURRENT DEED RESTRICTION ON THE FEDERAL PORTION OF THE STADIUM PROPERTY DESIGNATED "FOR RECREATIONAL USE ONLY."

#### VI. EXECUTIVE SESSION

IT WAS MOVED BY MEMBER AHINA AND SECONDED BY MEMBER FONG TO GO INTO EXECUTIVE SESSION AT 12:30 P.M. THE MOTION CARRIED UNANIMOUSLY.

VII. NEXT MEETING - October 30, 2008

VIII. ADJOURNMENT at 12:46 p.m.

KEYIN CHONG KEE

Chairman

Recorded by: Diana Ho

Approval Date: November 20, 2008